

REMARKS

Claims 1-22 were previously pending in this application. Claims 23-24 were canceled by a preliminary amendment. By this amendment, new claims 25-31 have been added. As a result, claims 1-22 and 25-31 are pending for examination with claims 1, 15 and 25 being independent claims. No new matter has been added.

Applicants request that the Information Disclosure Statement and PTO-1449 form received by the Patent & Trademark Office on April 13, 2001 be considered by the Examiner.

Rejections 35 U.S.C. § 102(b)

Claims 1-4, 7-15 and 18-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,766,646 (Henderson). The Examiner concluded that Henderson can pass update codes to a specific access controller, and therefore the identity structure must include an application template and configuration data that the access controller uses to update itself. Applicant respectfully does not agree with this conclusion drawn by the Examiner.

Claim 1 recites that the central control means includes “an identity structure relating to the permissible behavior of an access controller . . . when communication of identity structure to an access controller unit is required, a virtual configuration link is created between the central control means and the access controller for that value unit, via an operator control unit, for the transfer of the identity structure from the central control means to the access controller to initialise the access controller and so allow the access control data to gain access to the access controller.” Method claim 15 contains a similar recitation. This feature of the access control system is discussed in the specification at least at page 8, lines 24-25 and page 10, lines 3-11, and allows the access controllers and operator control units to store minimal information. The operator control units only need to store the identity structure when access to the access controller is to be granted. Prior to accessing the access controller, very limited information is present in the operator control units that an “attacker” can observe.

In contrast, Henderson teaches a lockbox system in which the lockbox, once dispatched for use and communication with the keys, permanently contains information controlling the operation of the lockbox in its memory. (See Henderson, col. 3, line 65 to col. 4, line 5). Although Henderson teaches keys that have characterization instructions that may be

downloaded to a lockbox, these are limited and do not serve the function of initializing the lockbox to allow the lockbox to receive and process access control data. (See Henderson, col. 9, lines 1-5). Instead, the ability to receive and process data is already present in the lockbox due to the initialization procedure for the lockbox. The initialization procedure taught by Henderson is performed by a computer coupled to a stand, not by a key. (See Henderson, col. 36, line 49 to col. 37, line 24). Once initialized, the lockbox can only be reprogrammed by a computer. (See Henderson, col. 17, lines 64-66, col. 37, lines 17-19).

Due to the existence of information in the lockbox and keys of Henderson, potential security problems exist. These security problems are attempted to be alleviated by the use of a key expiration date. (See Henderson, col. 18, lines 14-63). In Applicants' claimed invention, the operator control units usually contain no information of use until the access controller has been initialized. This reduces the need for an expiration date. Furthermore, Henderson addresses the problem of stolen keys by including in the lockbox restricted data that cannot be updated by any key. (See Henderson, col. 17, lines 55-66). Accordingly, the lockbox of Henderson must be returned to a stand in order to allow this information to be updated. (See Henderson, col. 8, lines 55-68). This is in contrast to the access controllers of the Applicants, which do not need to have restricted parts of the identity structure that cannot be updated by a key, particularly before the access controller has been initialized.

Thus, independent claims 1 and 15 patentably distinguish over the cited references.

Claims 2-4 and 7-14 and claims 18-22 respectively depend from independent claims 1 and 15 and are patentable for at least the same reasons.

Rejections 35 U.S.C. § 103

Claims 5, 6, 16 and 17 have been rejected as unpatentable under 35 U.S.C. § 103 over Henderson. Applicant respectfully traverses the rejections. These claims are directed to the identity structure being encrypted and only decipherable by selected access controllers and central control means or to the control data being encrypted. In contrast, Henderson teaches that the stand 16 decrypts the computer data before it is sent to either the lockbox or key. Henderson does not teach that the data is only decipherable by the lockbox and computer. (See Henderson, col. 8, lines 34-43).

Additionally, claims 5 and 6 and claims 16 and 17 respectively depend from independent claims 1 and 15 and are allowable for at least the same reasons set forth above.

New Claims 25-29

Dependent claims 25 and 26 depend respectively from independent claims 1 and 15 and have been added to further define the invention. These claims are directed to the feature of the identity structure being removed from the access controller after accessing the access controller. Support may be found in the specification on page 12, lines 17-19.

Claims 27-31 have been added to further define the invention.

These claims are directed to the feature of automatically communicating or updating identity structures. Support may be found in the specification on page 10, lines 11-18. These new claims define over the cited art. Henderson does not suggest the automatic communication or update of identify structure information. Instead, Henderson teaches to rely on the operators to manually cause the communication of update information, using the "PROGRAM function" on the key. (See Henderson, col. 17, lines 15-68 and col. 5, lines 50-60). The Applicants' remote access system therefore removes reliance on trusted people to reconfigure an access controller.

In addition to these features, claim 28 also recites the features discussed above with regard to claims 1 and 15. Thus, claim 28 is also patentable for at least the same reasons set forth above with regard to claims 1 and 15.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,


By: _____
Kristin D. Wheeler, Reg. No. 43,583
Lawrence M. Green, Reg. No. 29,384
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Date: April 27, 2004
x04/27/04